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From-Pillsbury Winthrop LLP

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T-982 P.001/002 F-387

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Attorney's Docket 068800-0284057

NOV 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: Confirmation No: 4029
MARK B PEPYS

Application No.: 09/985,699 Group Art Unit: 1655

Filed: November 5, 2001 Examiner: M.V. Miller

Title: THERAPEUTIC AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers, consisting of two pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 on the date shown below:

Request for Non-Entry of Supplemental Amendment filed November 1, 2005
and
Request for Non-Consideration of IDS filed November 1, 2005

PILLSBURY WINTHROP SHAW PITTMAN LLP



THOMAS A. CAWLEY, JR., PH.D.
Reg. No. 40944

Date: November 7, 2005
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(Certification of Facsimile Transmission—page 1)

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Attorney Docket No. 068800-0284057

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In re PATENT APPLICATION of

PEPYS

Group Art Unit: 1654

Application Serial No.: 09/985,699

Examiner: MELLER, M.V.

Filed: November 5, 2001

Title: THERAPEUTIC AGENT

REQUEST FOR NON-ENTRY OF SUPPLEMENTAL AMENDMENT
FILED NOVEMBER 1, 2005

AND

REQUEST FOR NON-CONSIDERATION OF IDS
FILED NOVEMBER 1, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On November 1, 2005, the applicant filed a Supplemental Response Pursuant to 37 CFR § 1.111, Fee Transmittal, Information Disclosure Statement, Form PTO 1449 and one cited reference. At the time of that filing, the applicant was unaware of the Notice of Allowance mailed October 14, 2005. In view of the Notice of Allowance, the applicant hereby requests that the amendment filed November 1, 2005 *not* be entered. Also in view of the Notice of Allowance, the applicant requests that the USPTO *not* consider the IDS filed November 1, 2005 and therefore, *not* charge the fee for IDS consideration.

Any inquiries regarding this matter may be directed to the undersigned attorney at the telephone number listed below.

Respectfully submitted,


By _____

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PILLSBURY WINTHROP SHAW PITTMAN LLP
November 7, 2005
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